



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

DEPARTMENT OF HUMAN RIGHTS

W.H. Tyrone Terrill, Director

240 City Hall

15 West Kellogg Boulevard

Saint Paul, MN 55102-1681

Telephone: (651) 266-8966

Facsimile: (651) 266-8962

TDD: (651) 266-8977

AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS NON-CONSTRUCTION CONTRACTS

Section 183.04 of the Saint Paul Legislative Code (Human Rights Ordinance) and the Rules Governing Affirmative Requirements in Employment set forth the Affirmative Action Requirements which are to be incorporated into and made a part of every contract entered into by the City of Saint Paul. These documents are available on the Saint Paul Human Rights Department's Web Site <http://www.ci.stpaul.mn.us/index.asp?nid=2403> at the Department's office at 240 City Hall, Saint Paul, Minnesota, or by calling the Department at (651) 266-8966.

The Saint Paul Department of Human Rights is responsible for monitoring the Contract Compliance Program to determine whether or not persons or firms doing business with the City are complying with Section 183.04 of the Human Rights Ordinance and the Rules.

As stated in Section 183.04, the contractor will not discriminate against any employee or applicant for employment because of race, creed, religion, sex, sexual or affectional orientation, color, national origin, ancestry, familial status, age, disability, marital status or status with regard to public assistance.

Employers who contract with the City of Saint Paul must do more than merely avoid discriminatory practices. They must adopt and implement affirmative action programs to employ women, minorities, and people with disabilities.

The contractor must also include the Affirmative Action provisions of the Human Rights Ordinance and the Rules in every subcontract, purchase order, or agreement with any subcontractor (including material suppliers and subcontractors who enter into a contract with another subcontractor or material supplier), with stipulations that the subcontractor is bound by the terms thereof.

A contractor's good faith affirmative action efforts in the employment of women, minorities, and people with disabilities will be taken into consideration in the awarding of a contract. It is the contractor's responsibility to become familiar and comply with the City's requirements and to ensure that their subcontractors comply with them.

THE FOLLOWING DOCUMENTATION MUST BE SUBMITTED TO THE SAINT PAUL HUMAN RIGHTS DEPARTMENT FOR APPROVAL BEFORE A CONTRACT WILL BE AWARDED:

AFFIRMATIVE ACTION PROGRAM REGISTRATION

Every contractor or subcontractor whose total accumulated contract or subcontract awards from the City of Saint Paul over the preceding twelve months has met or exceeded \$50,000 must complete and submit to the Department an Affirmative Action Program Registration. The contractor must certify that it has developed and is implementing an effective Affirmative Action Program, substantially similar to the Department's Model Affirmative Action Program, which shall include hiring goals for the employment of women, minorities and people with disabilities in the contractor's workforce.

Once the Affirmative Action Program Registration form is completed and accepted by the Saint Paul Human Rights Department, the contractor will be notified by letter. The Registration is valid for two (2) years, during which time the contractor will be required to submit Semi Annual Compliance Reports to the Department. At the end of the two-year period, the contractor must complete and submit a new Registration form.

A Model Affirmative Action Program is available from the Saint Paul Human Rights Department on their Web Page or by calling (651) 266-8966. A Model Modified Affirmative Action Program is available for contractors with twenty (20) or fewer employees.

Contractors, subcontractors, and major material suppliers are also required to submit to the Saint Paul Department of Human Rights all of their job openings in the thirteen (13) county Minneapolis/Saint Paul Metropolitan Statistical Area (Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, Wright counties in Minnesota and Pierce and St. Croix counties in Wisconsin) when they are posted or advertised. The job openings may be faxed to the Department at (651) 266-8962 using the Department's Job Opening Fax Memo form.

Equal Employment Opportunity Posters must be publicly posted in the offices of the contractor. These posters can be obtained from the Saint Paul Human Rights Department.

CONTRACTOR COMPLIANCE REVIEWS:

The Human Rights Department staff will monitor the contractor's and subcontractors' affirmative action efforts and results. On-Site Compliance Reviews will be conducted on the work force of contractors, their subcontractors and material suppliers that enter into contractual agreements with the City of Saint Paul. The purpose of the review is to determine the contractors' compliance with the rules, regulations and orders of Section 183.04 of the Human Rights Ordinance. On-site reviews include, but are not limited to, reviewing the implementation of the contractor's Affirmative Action Program, personnel policies and procedures.

Contractors and subcontractors may be required to provide additional documentation in order to determine whether or not they are making measurable improvements in the hiring of minority, female and disabled persons, including, but not limited to:

1. Good Faith Efforts Questionnaire
2. Applicant Flow Data
3. Employee Turnover Data
4. Documentation Supporting Dissemination and Implementation of EEO/AA Policies.
5. Documentation Supporting Recruitment Efforts.

Failure to comply with any of the requirements set forth above is sufficient grounds for disciplinary or remedial actions provided for under Article IV of the Rules; namely:

1. Termination of the contract;
2. Suspension of the contract until corrective steps are taken;
3. Continuation of the contract subject to the imposition of conditions to correct the noncompliance;
4. Declaration that the contractor shall be ineligible to bid on future contracts either permanently or for a stated time; or
5. A combination of the above.

It is imperative that contractors who are being considered for contracts of \$50,000 or more contact the Human Rights Department to obtain copies of the requirements and documents in order to expedite the Affirmative Action reviewing process. If you have any questions, please contact a Human Rights Specialist at (651) 266-8966.